

ZB# 98-35

Greg Greer

70-1-4

#98-35- Greer, Greg

70-1-4. Area- 2 additions

Palin

(not ordered) 4

Sept. 14, 1998

Read here -

Notice to Sentinel

9/15/98.

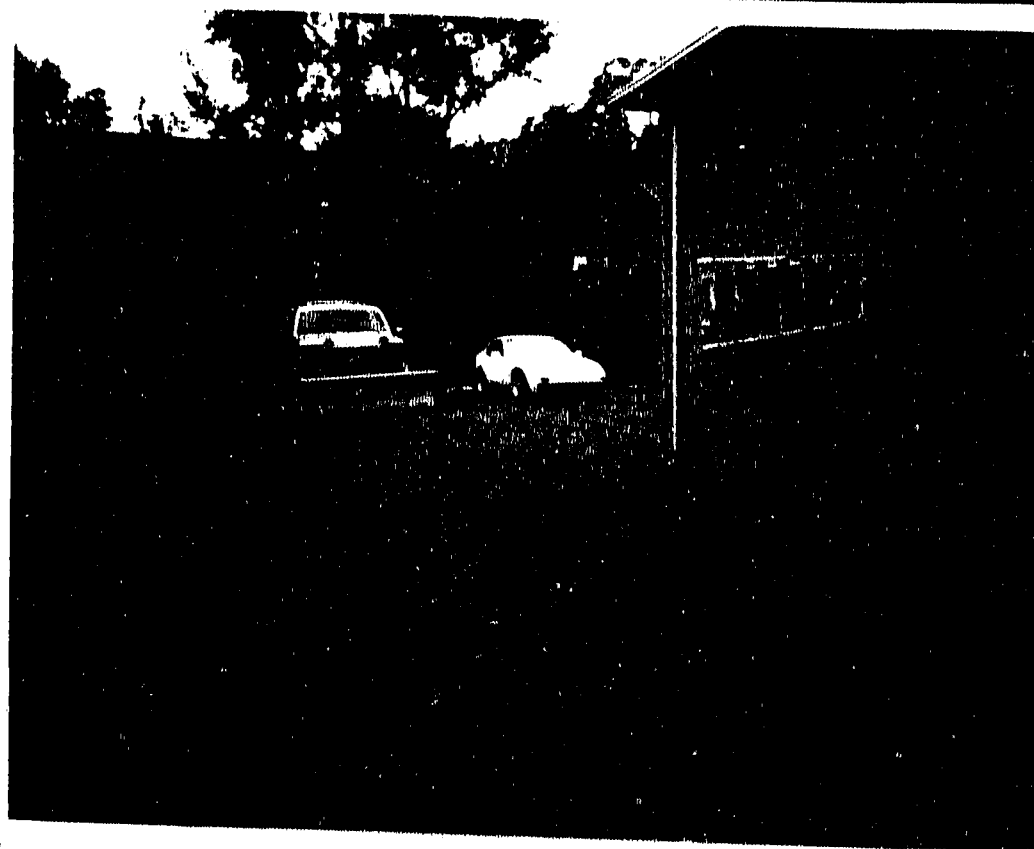
Photos - 7 fold.

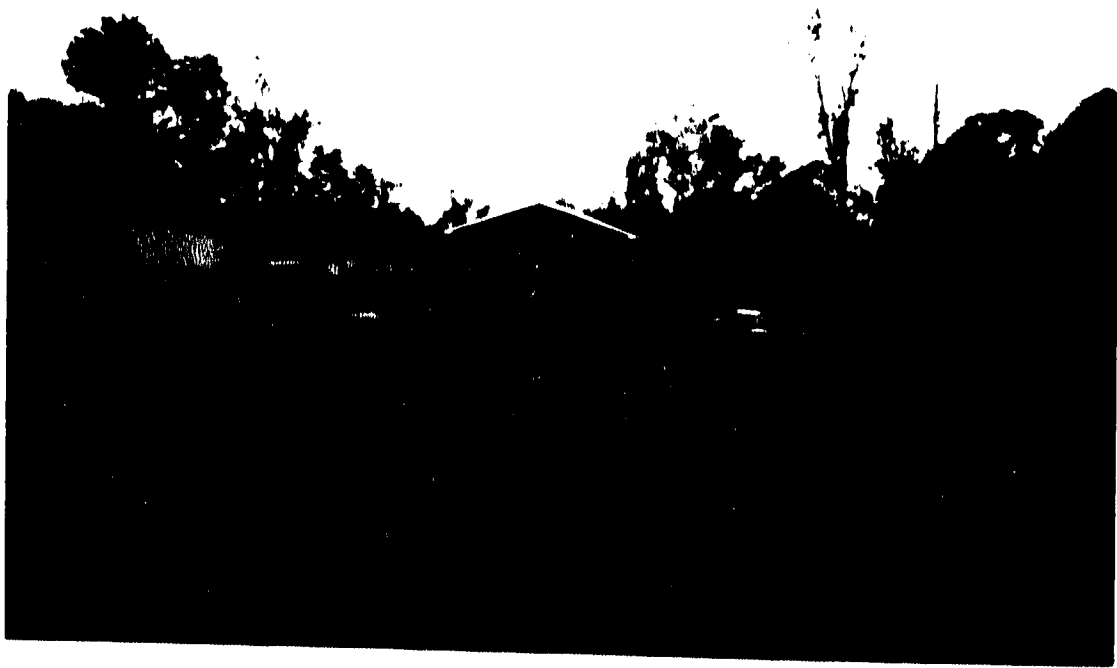
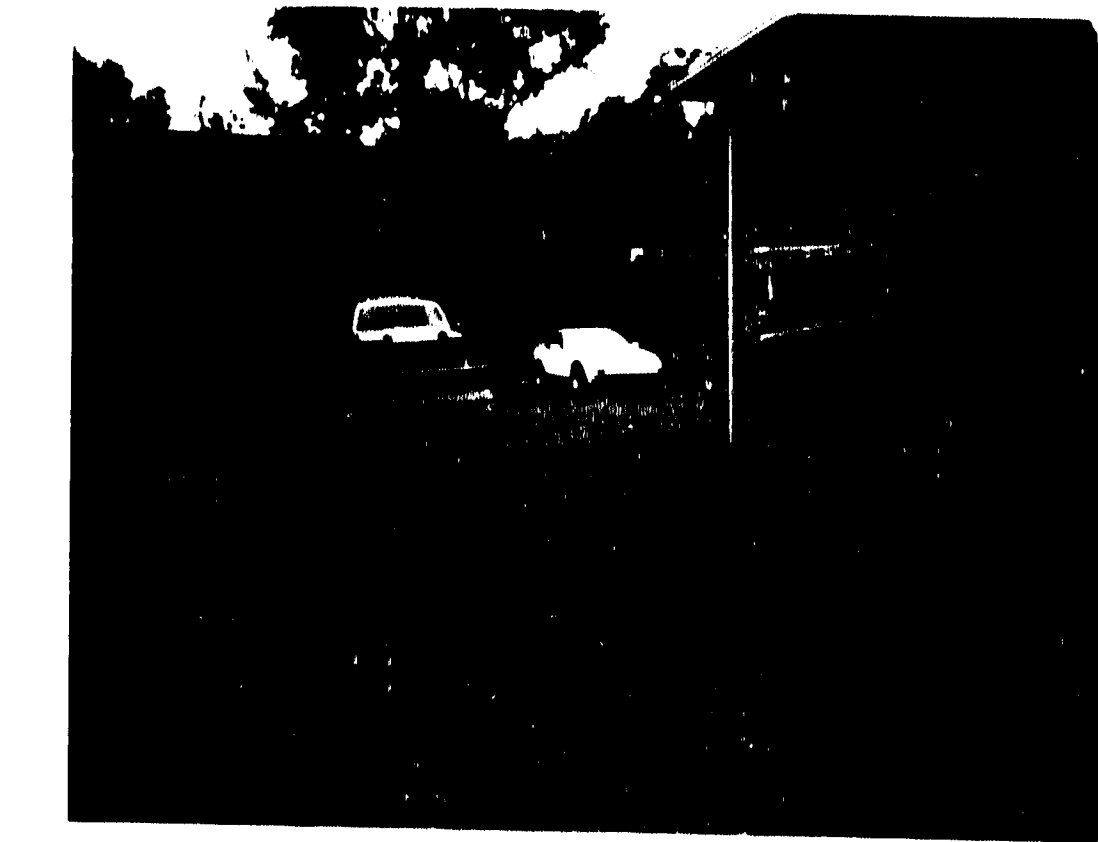
Public Hearing

Sept. 28, 1998.

Granted - 3-0

Refund \$394.00





9/11/95 - Variances rec'd. - 60,613 sq. ft. lot area
 130' lot width
 17.10 ft. side yard
 34.80 ft. total " "
 9 ft. max. bldg. height

Greg: 1-0130

Greg
 FAX:



APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Cheer, Gregory P.

FILE# 98-35

RESIDENTIAL: \$50.00
INTERPRETATION: \$150.00

COMMERCIAL: \$150.00

AREA X

USE

APPLICATION FOR VARIANCE FEE \$ 150.00 paid ck # 6935
9/16/98.

ESCROW DEPOSIT FOR CONSULTANT FEES \$ 500.00 paid ck # 6937
9/16/98.

DISBURSEMENTS:

STENOGRAPHER CHARGES: \$4.50 PER PAGE

PRELIMINARY MEETING-PER PAGE 9/14/98-4 \$ 18.00
2ND PRELIMINARY- PER PAGE 9/28/98-4 \$ 18.00
3RD PRELIMINARY- PER PAGE \$
PUBLIC HEARING - PER PAGE \$
PUBLIC HEARING (CONT'D) PER PAGE \$
TOTAL \$ 36.00

ATTORNEY'S FEES: \$35.00 PER MEEETING

PRELIM. MEETING: 9/14/98 \$ 35.00
2ND PRELIM. 9/28/98 \$ 35.00
3RD PRELIM. \$
PUBLIC HEARING. \$
PUBLIC HEARING (CONT'D) \$
TOTAL \$ 70.00

MISC. CHARGES:

..... \$
TOTAL \$ 106.00

LESS ESCROW DEPOSIT \$ 500.00
(ADDL. CHARGES DUE) \$
REFUND DUE TO APPLICANT . \$ 394.00



**GREG GREER'S SPECIALTY, LTD.
IMPORTED AUTOS**

PH. 914-561-0130
875 BLOOMING GROVE TPK, RT. 94
P.O. BOX 514
VAILS GATE, NY 12584

6935

29-1/213

PAY
TO THE
ORDER OF

DATE

9-16-98

Town of New Windsor

\$ 150.00

ONE HUNDRED FIFTY + 00

DOLLARS ☐ Security Features
Visible on back



27522 Vails Gate
Vails Gate, New York 12584

FOR

ZRA - Per

#006935# :021300019: 93849 57258#



**GREG GREER'S SPECIALTY, LTD.
IMPORTED AUTOS**

PH. 914-561-0130
875 BLOOMING GROVE TPK, RT. 94
P.O. BOX 514
VAILS GATE, NY 12584

6937

29-1/213

PAY
TO THE
ORDER OF

DATE

9-16-98

Town of Newburg

\$ 500.00

FIVE HUNDRED + 00

DOLLARS ☐ Security Features
Visible on back



27522 Vails Gate
Vails Gate, New York 12584

FOR

ZRA - Sheron

#006937# :021300019: 93849 57258#

In the Matter of the Application of

GREGORY P. GREER

**MEMORANDUM OF
DECISION GRANTING
AREA VARIANCES**

#98-35.

WHEREAS, GREGORY P. GREER, of P. O. Box 212, Cornwall, N. Y. 12518, has made application before the Zoning Board of Appeals for a 20 ft. side yard, 38 ft. total side yard and 7.67 ft. maximum building height variance for additions of storage space at his used car facility located on the south side of Route 94 in a C zone; and

WHEREAS, a public hearing was held on the 28th day of September, 1998 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared on behalf of himself for this Application; and

WHEREAS, there were two spectators appearing at the public hearing; and

WHEREAS, one spoke, neither in favor of nor in opposition to the Application, but having a question regarding the location of the subject property; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and in The Sentinel, also as required by law.

2. The evidence presented by the Applicant showed that:

(a) The property is a commercial property located in a neighborhood of commercial properties on a busy state highway.

(b) The present use of the property consists of a used car sales and service facility pursuant to variances previously granted.

(c) The Applicant proposed to make additions to the property for storage purposes only.

(d) There will be no outside entrances to the inside additions, if permitted.

(e) The proposed additions include a 10 by 4 ft. exterior storage shed with an exterior opening for the storage of such items as tires, windshields or other large items which there is no room in the shop.

(f) The addition, if permitted, will not create any additional water runoff or water hazards whatsoever since the drainage is adequate.

(g) The proposed storage is the minimum that the Applicant feels is necessary, and in proposing this addition, the Applicant has retained at least one parking space so as to comply with the Town of New Windsor Zoning Local Law.

(h) The addition is so proposed to permit access for fire vehicles, when if necessary, in the same manner as such access is now exists.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variances will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.

2. There is no other feasible method available to the Applicant which can produce the benefits sought.

3. The variances requested are substantial in relation to the Town regulations nevertheless is warranted for the reasons listed above.

4. The requested variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.

5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but nevertheless should be allowed.

6. The benefit to the Applicant, if the requested variance is granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.

7. The requested variances are appropriate and are the minimum variances necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

8. The interests of justice will be served by allowing the granting of the requested area variances.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 20 ft. side yard, 38 ft. total side yard, 7.67 maximum building height variance for additions for storage at used car facility located on south side of Route 94 in a C zone, as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: January 25, 1999.

Chairman

Date 10/1/98, 19.....

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Frances Roth DR.
168 N. Drury Lane
Newburgh, N.Y. 12550

DATE

CLAIMED

ALLOWED

9/28/98	Zoning Board Mtg	75.00	
	Misc - 2		
	Crossetta - 4		
	Savino - 3		
	Amanatides - 3		
	Heester - 3		
	Greer - 4 18.00		
	Wilson - 3	99.00	
	82		
		174.00	

PUBLIC HEARING:

GREER, GREG

MR. TORLEY: Referred by Planning Board for 20 ft. side yard, 38 ft. total side yard, 7.67 maximum building height variances for additions for storage at used car facility no Rt. 94.

Mr. Greg Greer appeared before the board for this proposal.

MR. TORLEY: Is there anyone in the audience wishing to be heard on this, besides the applicants? If so, please, we need your name and address just for our records to make sure we have it spelled right.

MR. GREER: I have also supplied some photos. Well, I think I have addressed the reasons why I need to do this and talking about this area in the rear. I need additional inside space and I won't be putting any other access to the interior to the building. At any rate, so what I am trying to do is essentially establish a second full size service area inside the building and by doing this minimal addition which is 7.5 feet, it will make the overall width of the building large enough to take the right side and use the full interior bay. So, as a result of not having the seven feet, I have the other 13 or 14 doing nothing so I'm really just trying to do a minimal addition shed style coming off the underneath the existing roof and coming off similar construction as the building, if anyone knows our building, it's pretty well kept.

MR. KANE: No outside entrances to that particular addition?

MR. GREER: Not to the addition. I'd like to, which would be completely obscured from the building, put a small 10 by 4 foot exterior storage shed with an opening to put, you know, good used tires or even new ones or if I get a windshield in or something that I don't have room for in the shop, I can set it there safely where we really don't access it and bring it back in the building.

MR. KANE: Building of the addition is not going to create any additional water runoffs, any water hazards whatsoever, Greg?

MR. GREER: No, nothing, no. It's all gravel, basically the drainage is in the rear of the building and I have given an easement that that area behind my fence is a 15 foot easement which I supplied once a long time ago. That is pretty much where the water runs off. We have a problem to the east of me where the field has been bulldozed over so the water is limited but I won't be creating anymore water.

MR. REIS: Michael, still well within the density?

MR. BABCOCK: As far as developmental coverage, it's N/A for that zone.

MR. TORLEY: One question that I want to make sure we address, you said good used tires, we're not attempting, you're not going to have stacks of used tires around are you?

MR. GREER: No, I might take off, sometimes you get a car in, types of vehicles I sell, they don't have Michelin's so I'll take a set of something, put a brand new set of Michelin tires are good, I'll either own a car going to the auction so I'll put these other tires on, I'll polish it and bring it up to Newburgh and once a month, we go up there and that's how we keep the back line so clean, we sell them. The older stuff as it comes in, we just liquidate it, but we'll use the inferior items from the first rate car we'd sell to a local customer. No Reynolds tires on a Mercedes Benz, Mercedes Benz have Michelin's, period, the end.

MR. KANE: For the record, that's the minimum amount of an addition that you need to accomplish your goal?

MR. GREER: I think I have gone bear minimum. What I have tried to do is maintain this one parking spot because I thought I might interfere what I would understand might be my bulk tables for parking, so I left it with the 9 foot that would be require which I

understand is the new law for New Windsor, I have ten footers in there on my master plan. That's what I was trying to achieve, I'd like to go further, but I was afraid of giving up the parking spot.

MR. TORLEY: Also this does permit access for fire vehicles, et cetera?

MR. GREER: Well, I don't know if one would pass this corner, but essentially, my fire thing is as you can see, it's interrupted, my parking is interrupted, the fire flow here is right here, it comes through what would be the west side of the building and that was established some four years ago when we built the property.

MR. KANE: So--

MR. KRIEGER: So the fire would still have access?

MR. GREER: Absolutely, I don't think it would affect them in the slightest. If you were going to go behind, you'd come here, run a hose or probably come in the corner and come back, I don't think they'd put their equipment too close to the fire.

MR. REIS: Greg, I'm just curious, anticipating your continued growth and success there, why are you limiting yourself with a shed that small?

MR. GREER: I'm not a junk collector, which I stand by my pictures and my previous history in town, I just, you know, I run things clean and neat and I move things through, you know, I'm not a guy, even my home's the same way. I make quick decisions. I'm not a guy that keeps the old washing machine, it's just gone. But I do run into the tires, it's a fairly common problem, I'll get a windshield in, car doesn't come, it's in the shop, it's easy to break something like that, I mean, heated windshield like 12, \$1,400. So I try to find a place away. We have even been known to put them in my office in the back of our sales area, I have a private office, sometimes I have a windshield in there by the sofa. It's the nature of the business, the materials are very expensive and I need a little outside space,

snow shovel, who knows. I always schlep the lawn mower back and forth because I have no place to really keep it and I don't want it in the shop or I borrow one from next door.

MR. TORLEY: It's open to the public, any questions?

MR. YOUNGBERG: I thought it was Mans.

MR. GREER: No, no.

MR. YOUNGBERG: I thought it was the property in front of us, that's the only reason why we're here.

MR. GREER: If there's any time one of my employees or we infringe on your privacy, you live there, it's your home, make me or one of the guys aware of it and it will be no late night noise or nothing like that, 8 o'clock curfew, that's what my guys have.

MR. TORLEY: Gentlemen, in that case, I'll close the public hearing and open it back up to the members of the board.

MR. REIS: No questions.

MR. KANE: No questions.

MR. TORLEY: I'll entertain a motion on this matter.

MR. KANE: Mr. Chairman, I move that we grant the requested variances for Mr. Gregory Greer.

MR. REIS: Second it.

ROLL CALL

MR. REIS	AYE
MR. KANE	AYE
MR. TORLEY	AYE

MR. GREER: Thank you for you help.

OFFICE OF THE PLANNING BOARD - TOWN OF NEW WINDSOR
ORANGE COUNTY, NY

Prelim.
Sept. 14, 1998
#98-35

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

PLANNING BOARD FILE NUMBER: 98-14

DATE: 23 JUN '98

APPLICANT: GREGORY P. GREER

P.O. BOX 212

CORNWALL N.Y. 12518

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 8 MAY '98

FOR (~~SUBDIVISION~~) - SITE PLAN) _____

LOCATED AT SOUTH SIDE OF RT. 94

ZONE C

DESCRIPTION OF EXISTING SITE: SEC: 70 BLOCK: 1 LOT: 4

IS DISAPPROVED ON THE FOLLOWING GROUNDS: _____

SIDE YARD, TOTAL SIDE YARD, AND
HEIGHT VARIANCES REQUIRED FOR
PROPOSED ADDITION


MARK J. EDSON, PE, P.E.
MICHAEL BABCOCK,
BUILDING INSPECTOR

<u>REQUIREMENTS</u>		<u>PROPOSED OR AVAILABLE</u>	<u>VARIANCE REQUEST</u>
ZONE _____	USE <u>B-5</u> <u>A-3/A-16</u>		
MIN. LOT AREA	<u>40,000/80,000 SF</u>	<u>19,387 SF</u>	<u>PREVIOUS VARIANCE</u>
MIN. LOT WIDTH	<u>1200 FT</u>	<u>70</u>	<u>PREVIOUS VARIANCE</u>
REQ'D FRONT YD	<u>60 FT</u>	<u>169</u>	<u>-</u>
REQ'D SIDE YD.	<u>30 FT</u>	<u>10 FT</u>	<u>20 FT</u>
REQ'D TOTAL SIDE YD.	<u>70 FT</u>	<u>32 FT</u>	<u>38 FT</u>
REQ'D REAR YD.	<u>30 FT</u>	<u>53 FT</u>	<u>-</u>
REQ'D FRONTAGE	<u>N/A</u>	<u>-</u>	<u>-</u>
MAX. BLDG. HT. <u>4"wu/6"wu</u>	<u>3.33 FT/ 5' FT</u>	<u>11 FT</u>	<u>7.67 FT</u>
FLOOR AREA RATIO	<u>0.50/0.70</u>	<u>0.18</u>	<u>-</u>
MIN. LIVABLE AREA	<u>N/A</u>	<u>-</u>	<u>-</u>
DEV. COVERAGE	<u>N/A</u> %	<u>-</u> %	<u>-</u> %
O/S PARKING SPACES	<u>20</u>	<u>20</u>	<u>NONE REQUESTED</u>

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT:
(914-563-4630) TO MAKE AN APPOINTMENT WITH THE ZONING BOARD
OF APPEALS.

CC: Z.B.A., APPLICANT, P.B. ENGINEER, P.B. FILE

POSSIBLE Z.B.A. REFERRALS:

GREER, GREGORY SITE PLAN (98-14) RT. 94

Mr. Gregory Shaw of Shaw Engineering appeared before the board for this proposal.

MR. SHAW: As the chairman, said I'm representing Greg Greer tonight for referral to the Zoning Board of Appeals. The board might remember this application was before you probably about three years ago taking a parcel of land which is on Route 94 in Vails Gate approximately half an acre in size and converting it into a used car storage area, also a two bay service area. This board granted the necessary site plan approval, special permit and we also got variances from the Zoning Board of Appeals. The reason we're before you tonight is that Mr. Greer is proposing two additions on his property, you'll notice that they are adjacent to the two bay service area, one addition is about six and a half by 23 feet and the second addition is 4 feet by 10 feet, that will be used for storage.

MR. PETRO: The smaller of the two will be for storage, Greg?

MR. SHAW: Yes.

MR. PETRO: What's the larger one for?

MR. SHAW: Just be additional space for his service area. Not sales, not customers, just purely service area.

MR. PETRO: Going to be accessed through the two bay service area, double doors there, Greg?

MR. SHAW: Correct, that's all there is. We do not meet the Town of New Windsor Zoning Regulations, we're going to have to get variances for building height and side yard setback, so I come before this board tonight asking for a denial to allow us to go to the zoning board to obtain those necessary variances.

MR. PETRO: Let me poll the board, conceptually, does

May 27, 1998

4

anybody have a problem with the plan as it stands?

MR. LANDER: No.

MR. LUCAS: No.

MR. PETRO: Motion to approve.

MR. LANDER: So moved.

MR. LUCAS: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board approve the plan for Greg Greer on Route 94. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	NO
MR. STENT	NO
MR. LANDER	NO
MR. LUCAS	NO
MR. PETRO	NO

MR. PETRO: At this time, you've been referred to the New Windsor Zoning Board for the necessary variances that you may require. Once they are received and if you are successful in receiving them, make application back to this board and we'll look at the plans.

MR. SHAW: Okay.

Date 12/9/98, 19.....

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO DR.

Frances Roth
168 N. Drury Lane
Newburgh, N.Y. 12550

DATE			CLAIMED	ALLOWED
9/14/98		Zoning Board	75.00	
		Misc - 1		
		Cestari - 2		
		Wilson - 3		
		Greer - 4 18.00		
		Lucas - 7		
		Jannotti - 9		
		N/W Partners - 18		
		Bila Partners - 42	387.00	
		86		
			462.00	

GREER, GREG

MR. NUGENT: Referred by Planning Board for request for 20 ft. side yard, 38 ft. total side yard, 7.67 maximum building height variances for additions for storage at used car facility on Route 94.

Mr. Greg Greer appeared before the board for this proposal.

MR. GREER: My name is Greg Greer and I have a property that I refer to as 875 Blooming Grove Turnpike and I have these maps with me, so perhaps you'd like to refer to them in a more accurate way, I assume I should give three of these out. I'd like to put an addition on my building, which is indicated in the dark area. Mr. Shaw has prepared these for me. What I essentially need is a side yard. My understanding from the engineer, I need a side yard variance and I need a total both side yard because I'm reducing the one side yard and in addition to that, I'm going to be just under 8 feet, 7.76 feet from the actual property line and my building height will be 11 feet, so I need a variance to make up what I believe is the four inch per foot rule. I would rely on the engineer's mathematics to establish that but he has 7.67 down, I'm not really sure I'm interpreting that right. Do I need to expand on that more?

MR. NUGENT: No.

MS. BARNHART: No, we understand.

MR. GREER: I'm too close to the property line and I'm reducing my overall side yard from both sides of the building. I'd appreciate it very much if I had an opportunity to share this with the people who lived around me and I could hopefully get permission to do it and continue to operate the business the way I do now. I just need a little more space there to survive.

MR. NUGENT: Are these buildings going to be totally separate?

MR. GREER: No, the building will be opened up and it

will be one interior space, there will be an additional window which will be to the, I would consider the south end going out to the right where it says apron, we'll be using the same door as entrance, there will be no additional doors.

MR. KANE: So, these buildings would only be accessed from the inside?

MR. GREER: Yes, from the inside, correct, either from being in the building already and walking on the floor space into there or entering the rear garage door with a vehicle. It's about 23 feet and just not enough for two vehicles. So, if you notice, we're really not going out a great distance, just widening it enough to make it two full bays because we end up with this ten foot area that is not usable for us, it's too narrow. There will be nothing coming out the back of the building. The rear building line will be straight, just thought that it was a nice opportunity to put a window in where the addition is going like a kitchen type casement window, 4 X 4 insulated.

MR. TORLEY: Mike, has the fire inspector seen this?

MR. BABCOCK: I know he has, yes, he approved it on 5/19/98.

MR. GREER: Our buildings are entirely up to code, we had the C.O. to do what we need to do there and passed our fire extinguishers. One sticker had fallen off and 30 days later, Mr. McDonald put it back and we had the fella, Mike, another one who comes in once a year, we hard wired the fire system in there.

MR. TORLEY: I was concerned about the access for a truck getting by that side.

MR. GREER: It's kind of narrow for a fire truck there, you'd be too close to a burning building, I think, I think you'd mostly come in here and there's a large area in the rear.

MR. TORLEY: Not being an expert, I wanted to get an opinion from the fire marshal.

MR. GREER: That is the way I would see it, I'm not a fireman, but--

MR. REIS: What's the use of the 4 x 10 foot area, Greg?

MR. GREER: That's a storage shed, that would be where we could keep various things, such as wheels, tires, bulk goods like license plates. We get big boxes of them, things that we don't really use a lot that wouldn't be perishable in cold weather. So more like bulk storage that would get some things off our shop floor at the same time.

MR. REIS: Also accessible only from the interior?

MR. GREER: No, it wouldn't be insulated and I didn't want to mislead anyone, I wasn't thinking about it that would be accessible from its own front which sides against a commercial property, this would be the Mans' property with the red building in front of me, it would be approximately in the middle of my building.

MR. KANE: Outside storage shed?

MR. GREER: Yes, attached to the building outside storage shed with an architectural roof and gutters, you wouldn't see it from the homes behind, you wouldn't realize it was there, it steps in.

MR. TORLEY: Accept a motion?

MR. NUGENT: Yes, if there's no further questions.

MR. TORLEY: I move that we set up Mr. Greer for his requested public hearing for requested variances.

MS. OWEN: Second it.

ROLL CALL

MS. OWEN	AYE
MR. TORLEY	AYE
MR. KANE	AYE

September 14, 1998

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MR. REIS AYE
MR. NUGENT AYE

MR. GREER: Thank you all very much for your time.

MR. KRIEGER: These are criteria on which the state determines on which the board must decide. So if you would address yourself to those at the time you make a presentation, that would be helpful. I'm sure the board will also want photographs of the area.

MR. GREER: Of what's existing?

MR. KRIEGER: Yes.

MR. GREER: I also invite anybody to stop by any time but I'll supply the photos, we're there Monday through Friday and surprise us, we're clean and neat, thank you very much for your time. I'll be prepared as possible when I come back.

9/24/88 Public Hearing: Greer, Greg #98-35

Name:

1

Address:

No
objection

Bettini & Rich Youngberg
12 - Trux Circle
New Windsor, NY 12553

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

98-35

Date: 08/25/98

I. Applicant Information:

- (a) GREER, GREGORY, P. O. Box 212, Cornwall, N. Y. 12518 x
(Name, address and phone of Applicant) (Owner)
- (b) n/a
(Name, address and phone of purchaser or lessee)
- (c) n/a
(Name, address and phone of attorney)
- (d) Shaw Engineering, 744 Broadway, Newburgh, N. Y. 12553 561-3695
(Name, address and phone of contractor/engineer/architect)

II. Application type:

- ☐ Use Variance ☐ Sign Variance
- ☒ Area Variance ☐ Interpretation

III. Property Information:

- (a) C South Side of Route 94 70-1-4 19,387 s.f. +
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? R-4
- (c) Is a pending sale or lease subject to ZBA approval of this application? No
- (d) When was property purchased by present owner? 04/10/95
- (e) Has property been subdivided previously? No
- (f) Has property been subject of variance previously? Yes
If so, when? 09/11/95
- (g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning Inspector? No
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: n/a
- _____
- _____
- _____

IV. Use Variance. n/a

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____, to allow:
(Describe proposal) _____
- _____
- _____
- _____

(b) The legal standard for a "use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

n/a

(c) Applicant must fill out and file a Short Environmental Assessment Form (SEQR) with this application.

(d) The property in question is located in or within 500 ft. of a County Agricultural District: Yes No x.

If the answer is Yes, an agricultural data statement must be submitted along with the application as well as the names of all property owners within the Agricultural District referred to. You may request this list from the Assessor's Office.

V. Area variance:

(a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table of Use/Bulk Regs., Col. F,I.

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area <u>40,000/80,000 s.f.</u>	<u>19,387 s.f.</u>	<u>Previous variance rec'd.</u>
Min. Lot Width <u>200 ft.</u>	<u>70 ft.</u>	<u>"</u>
Reqd. Front Yd. <u>60 ft.</u>	<u>169 ft.</u>	<u>-</u>
Reqd. Side Yd. <u>30 ft.</u>	<u>10 ft.</u>	<u>20 ft.</u>
Reqd. Total Side Yd. <u>70 ft.</u>	<u>32 ft.</u>	<u>38 ft.</u>
Reqd. Rear Yd. <u>30 ft.</u>	<u>53 ft.</u>	<u>-</u>
Reqd. Street Frontage* <u>n/a</u>	<u>n/a</u>	<u>-</u>
Max. Bldg. Hgt. <u>3.33 ft./5 ft.</u>	<u>11 ft.</u>	<u>7.67 ft.</u>
Min. Floor Area* <u>n/a</u>	<u>n/a</u>	<u>-</u>
Dev. Coverage* <u>n/a</u> %	<u>n/a</u> %	<u>-</u> %
Floor Area Ratio** <u>0.50/0.70</u>	<u>0.8</u>	<u>-</u>
Parking Area <u>20</u>	<u>20</u>	<u>none required</u>

* Residential Districts only

** No-residential districts only

(b) In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3)

whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created. Describe why you believe the ZBA should grant your application for an area variance:

(See attached recitation)

(You may attach additional paperwork if more space is needed)

VI. Sign Variance: n/a

(a) Variance requested from New Windsor Zoning Local Law, Section _____, _____ Regs.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign ..	_____	_____	_____
Sign 3	_____	_____	_____
Sign	_____	_____	_____
	_____	_____	_____
	_____	_____	_____

(b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or over size signs.

(c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

VII. Interpretation. n/a

(a) Interpretation requested of New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

(b) Describe in detail the proposal before the Board:

VIII. Additional comments:

(a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or

upgraded and that the intent and spirit of the New Windsor Zoning is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

(See site plan attached)

IX. Attachments required:

- ☒ Copy of referral from Bldg./Zoning Insp. or Planning Bd.
- ☒ Copy of tax map showing adjacent properties.
- ☐ Copy of contract of sale, lease or franchise agreement.
- ☒ Copy of deed and title policy.
- ☒ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copy(ies) of sign(s) with dimensions and location.
- ☒ Two (2) checks, one in the amount of \$ 150.00 and the second check in the amount of \$ 500., each payable to the TOWN OF NEW WINDSOR.
- ☒ Photographs of existing premises from several angles.

X. Affidavit.

Date: Sept. 16 1998
August

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/or information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

☒ Gregory P. Greer
(Applicant)
Gregory P. Greer

Sworn to before me this

16th day of Sept., 1998.

XI. ZBA Action:

(a) Public Hearing date: _____

Patricia A. Barnhart
PATRICIA A. BARNHART
Notary Public, State of New York
No. 01BA4904434
Qualified in Orange County
Commission Expires August 31, 1999.

(b) Variance: Granted (____) Denied (____)

(c) Restrictions or conditions: _____

_____.

NOTE: A FORMAL DECISION WILL FOLLOW UPON RECEIPT OF THE PUBLIC HEARING MINUTES WHICH WILL BE ADOPTED BY RESOLUTION OF ZONING BOARD OF APPEALS AT A LATER DATE.

(ZBA DISK#7-080991.AP)

On September 11, 1995, the Applicant was successful in obtaining a change of use and several area variances from the Zoning Board of Appeals in order to utilize existing structures on a parcel of land located on Route 94 in a C zone; the change of use was to establish the sales and service of pre-owned, upscale European automobiles. The Applicant, Greg Greer, is presently appearing before the Zoning Board of Appeals after being referred by the Planning Board, to seek a 20 ft. side yard, 38 ft. total side yard and 7.67 ft. maximum building height variance for two additions to the existing structures in order to extend the service area of the operation.

The Applicant feels very strongly that the granting of the requested variances will not be detrimental to the health, safety or welfare of the neighborhood or community since the property is located in a commercial neighborhood, close to a major intersection.

The only feasible method Applicant can pursue is the variance process in order to construct additions to his service area and remain competitive.

Applicant feels that this request is not substantial when considering the configuration of the parcel.

Since this parcel can only be developed for commercial use, it is the feeling of the Applicant that the proposed variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.

The difficulties stated above are the result of a self-created hardship on the part of the Applicant. However, Applicant is willing to and is seeking the necessary approval in order to conform to the requirements in the C zone.

PUBLIC NOTICE OF HEARING

ZONING BOARD OF APPEALS

TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 35

Request of GREGORY P. GREER

for a VARIANCE of the Zoning Local Law to Permit:

construction of additions with less than the allowable side yard,

total side yard and more than the allowable maximum building height;

being a VARIANCE of Section 48-12 - Table of Use/Bulk Regulations-Cols. F,I

for property situated as follows:

south side of Route 94, New Windsor, N. Y.

known and designated as tax map Section 70, Blk. 1, Lot 4.

SAID HEARING will take place on the 28th day of September, 1998 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 o'clock P.M.

JAMES NUGENT

Chairman

**ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR
COUNTY OF ORANGE : STATE OF NEW YORK**

In the Matter of the Application for Variance of

Gregory P. Greer

Applicant.

#78-35

**AFFIDAVIT OF
SERVICE BY
MAIL**

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

PATRICIA A. BARNHART, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 7 Franklin Avenue, Windsor, N. Y. 12553.

That on 9/17/98, I compared the 47 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor regarding the above application for a variance and I find that the addresses are identical to the list received. I then mailed the envelopes in a U.S. Depository within the Town of New Windsor.

Patricia A. Barnhart

Patricia A. Barnhart

Sworn to before me this

17th day of Sept, 1998.

Mary Ann Hotaling

Notary Public

**MARY ANN HOTALING
Notary Public, State of New York
No. 01HO5062877
Qualified in Orange County
Commission Expires July 8, 2000**

-----x
In the Matter of the Application of

GREGORY GREER

DECISION GRANTING
AREA
VARIANCES

#95-38.

-----x
WHEREAS, GREGORY GREER, P. O. Box 212, Cornwall, New York 12518, referred by the Planning Board for several area variances, including 60,613 s.f. lot area, 130 ft. lot width, 17.10 ft. side yard, 34.80 ft. total side yard and 9 ft. maximum building height variances in order to utilize property located on Route 94 for used car sales and service, which use is permitted in a C zone; and

WHEREAS, a public hearing was held on the 11th day of September, 1995, before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared himself and with Gregory Shaw, P. E. for this proposal; and

WHEREAS, there were three (3) spectators appearing at the public hearing; and

WHEREAS, three (3) persons spoke at the public hearing. No speaker expressed opposition but had various questions and comments which were answered by the Board or taken into consideration in its deliberations.

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.

2. The evidence presented by the applicant showed that:

(a) The subject property is a commercial property partially located in a C zone.

(b) The property borders, however, a residential zone.

(c) The use proposed by the applicant is an allowed use but the lot area, lot width, side yard, total side yard and maximum building height are insufficient for this particular proposed use.

(d) This property is screened from the residential neighbors, in the back of the property, by a fence of approximately 6 ft. in height which is approximately 8 ft. back from the property line.

(e) The applicant has agreed to maintain this fence and to install slats of an appropriate color so as to screen the operations of the lot from the residential properties.

(f) There are two (2) buildings on this site, the applicant proposes to use the front building for office and sales and the rear building for service.

(g) The subject parcel is a little less than half an acre in size (0.445). The front structure is a building with a footprint of approximately 1,500 square feet.

(h) The applicant proposes no site improvements other than some macadam paving. The site is approximately 50% covered by existing macadam. The balance of the site to the rear or southerly portion is an existing shale surface.

(i) The proposed use of the property is for the sale and service of European and upscale-priced cars.

(j) The portion of the property at the rear bordering the residential property has a drainage problem where the water from this property and neighboring properties flows to the back of the property and, due to its flatness, runs onto the neighboring residential properties.

(k) There is fence at the rear of the property. The applicant has agreed to put slats in the fence to obstruct the view of the property from the neighboring residences and has agreed that it will be a condition of any variance granted that any cars or items stored on the property for any reason would not exceed the height of the fence.

(l) It was agreed by the applicant that it be a condition of the variance that no cars be on the premises for more than thirty (30) days which cars do not have wheels and that there be no outside storage of parts or spare parts, including, but not limited to, motors for more than thirty (30) days.

(m) The properties neighboring the sides of the subject property are commercial in nature and at least one of them is used for the storage, maintenance or sale of recreational vehicles.

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law in this matter:

1. The requested variances will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.

2. There is no other feasible method available to applicant which can produce the benefit sought other than the variance procedure.

3. Some of the variances created are substantial but are nevertheless warranted since the property is existing in this neighborhood, no changes to the property are asked for or will

occur and the variances requested, if granted, will not result in a change in the neighborhood.

4. The requested variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.

5. The difficulty the applicant faces in conforming to the bulk regulations is not a self-created hardship in that the buildings and property already exists. They are a self-created hardship in the sense that the applicant seeks to use the existing property for a use which is permitted under the Zoning Local Law for which the area is substantially insufficient. It is the opinion of the Board that the variances requested should be granted because of the character of the neighborhood.

6. It is the finding of this Board that the benefit to the applicant, if the requested area variances are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.

7. It is the further finding of this Board that the requested area variances are the minimum variances necessary and adequate to allow the applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

8. The interests of justice will be served by allowing the granting of the requested area variances.

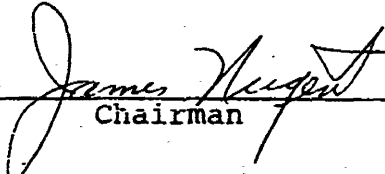
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT 60,613 s. f. lot area, 130 ft. lot width, 17.10 ft. side yard, 34.80 ft. total side yard and 9 ft. maximum building height variances for used car sales and service located on Route 94 in a C zone, as sought by the applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and applicant.

Dated: November 13, 1995.


Chairman

(ZBA DISK#13-110695.GG)



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (914) 563-4631
Fax: (914) 563-4693

Assessors Office

August 19, 1998

Mr. Gregory J. Shaw, P.E.
744 Broadway
Newburgh, NY 12550

RE: 70-1-4 (Greer)

Dear Mr. Shaw:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$65.00, minus your deposit of \$25.00.

Please remit the balance of \$40.00 to the Town Clerk's office.

Sincerely,

A handwritten signature in cursive script that reads "L. Cook". The signature is written in dark ink and is positioned above the printed name of the signatory.

Leslie Cook
Sole Assessor

/cad
Attachments

~~CONFIDENTIAL~~

Constantine Leonardo
94-96 Maple St.
Newburgh, NY 12550

Benjamin & Bella Harris
PO Box 780
Cornwall, NY 12518

Miguel R. & Barbara D. Bencosme
16 Truex Dr.
New Windsor, NY 12553

Samuel Leonardo
7 Dogwood Hills Rd.
Newburgh, NY 12550

Harold & Yvonne B. Abrams
PO Box 462
Vails Gate, NY 12584

Kenneth N. Wynder Jr.
14 Truex Dr.
New Windsor, NY 12553

House of Apache Properties LTD
52 Elm St.
Huntington, NY 11743

Larry Reynolds
4 Truex Dr.
New Windsor, NY 12553

Gardner Plus 3
104 So. Central Ave.
Valley Stream, NY 11580-5461

Scott Terry Hughes
18 Ellison Dr.
New Windsor, NY 12553

Christopher S. & Deborah Smith
6 Truex Dr.
New Windsor, NY 12553

4 Acres LLC
104 South Central Avenue
Valley Stream, NY 11580

Mans Brothers Realty Inc.
PO Box 247
Vails Gate, NY 12584

Edward F. & Jo Ann M. Lekis
PO Box 204
Vails Gate, NY 12584

Irizarry Leonides Jr. & Theresa J.
20 Truex Dr.
New Windsor, NY 12553

Route 94 Associates, LLC
2 Hearthstone Way
New Windsor, NY 12553

Philip M. & Christina M. Melore
10 Truex Circle
New Windsor, NY 12553

Thomas W. & Dorothy P. Barton
22 Truex Dr.
New Windsor, NY 12553

V.G. Maximus Inc.
C/O Joseph Pisani
203 Cambridge Court
New Windsor, NY 12553

Brian K. & Bridgette A. Vander Maas
12 Truex Dr.
New Windsor, NY 12553

Clarence & Zenobia B. Reed
3 Truex Dr.
New Windsor, NY 12553

Lorene V. Wreford & John Douglas
16 Marshall Dr.
New Windsor, NY 12553

Michael A. & Mary F. Fernandez
9 Truex Circle
New Windsor, NY 12553

Howard & Margaret Nevico
PO Box 92
Vails Gate, NY 12584

Michael J. & Nancy L. Driscoll
18 Marshall Dr.
New Windsor, NY 12553

Salvatore & Carolina Tosco
7 Truex Circle
New Windsor, NY 12553

Angelo Luongo & Marian Buckheit
8 Kearney Dr.
New Windsor, NY 12553

Ronald & Edna Edwards
20 Marshall Dr.
New Windsor, NY 12553

Pete & Farida Caoli
18 Truex Dr.
New Windsor, NY

Julian & Virginia Russell
15 Truex Dr.
New Windsor, NY 12553

Peter & Eileen Abrams
11 Truex Dr
New Windsor, NY 12553

S & S Properties Inc
123 Quaker Rd
Highland Mills, NY 10930

R & S Food Inc.
249 North Craig St
Pittsburgh, PA 15213

DB Companies DBA DB Mart
Convenience Stores
PO Box 9471
Providence, RI 02940

NYS Dept. of Transportation
Office of the State Comptroller
A.E. Smith Office Bldg.
Albany, NY 12236

Norstar Bank of Upstate N.Y.
Facilities Management
PO Box 911
Newburgh, NY 12550

John Grana
PO Box 317
Vails Gate, NY 12584

Primavera Properties Inc
PO Box 177
Vails Gate, NY 12584

Joan Shedden
PO Box 608A
Vails Gate, NY 12584

Angelo Rosmarino Enterprises, Inc.
PO Box 392
Vails Gate, NY 12584

John Aquino & Gregory Mellick
9 Hawthorne Pl., Apt. 2N
Boston, MA 02114

Amerada Hess Corp.
C/O Dean Cole, Mgr./Prop.Tax Dept
1 Hess Plaza
Woodbridge, NJ 07095

The Vails Gate Fire Company
PO Box 101
Vails Gate, NY 12584

MCB Partnership
208 Meadow Ave
Scranton, PA 18505

Vails Gate Methodist Cemetery
PO Box 37
Vails Gate, NY 12584

FFCA Acquisition Corp.
17207 North Perimeter Dr
Scottsdale, AZ 85255

TGS Associates Inc.
15 East Market St
Red Hook, NY 12571

ORANGE COUNTY CLERK'S OFFICE RECORDING PAGE
THIS PAGE IS PART OF THE INSTRUMENT - DO NOT REMOVE



(PE NAME(S) OF PARTY(S) TO DOCUMENT: BLACK INK

MAY 1 1995

PETER H. NEUMAN, REFEREE

TO

GREGORY P. GREER

SECTION 70 BLOCK 1 LOT 4

RECORD AND RETURN TO:

(Name and Address)

HERE IS NO FEE FOR THE RECORDING OF THIS PAGE

ATTACH THIS SHEET TO THE FIRST PAGE OF EACH

RECORDED INSTRUMENT ONLY

DUGGAN, CROTTY & DUNN, P.C.
343 TEMPLE HILL ROAD
NEW WINDSOR, N.Y. 12553

DO NOT WRITE BELOW THIS LINE

STRUMENT TYPE: DEED X MORTGAGE _____ SATISFACTION _____ ASSIGNMENT _____ OTHER _____

PROPERTY LOCATION

<u>2089</u> BLOOMING GROVE (TN)	<u>4289</u> MONTGOMERY (TN)
<u>2001</u> WASHINGTONVILLE (VLG)	<u>4201</u> MAYBROOK (VLG)
<u>2289</u> CHESTER (TN)	<u>4203</u> MONTGOMERY (VLG)
<u>2201</u> CHESTER (VLG)	<u>4205</u> WALDEN (VLG)
<u>2489</u> CORNWALL (TN)	<u>4489</u> MOUNT HOPE (TN)
<u>2401</u> CORNWALL (VLG)	<u>4401</u> OTISVILLE (VLG)
<u>2600</u> CRAWFORD (TN)	<u>4600</u> NEWBURGH (TN)
<u>2800</u> DEERPARK (TN)	<u>X 4800</u> NEW WINDSOR (TN)
<u>3089</u> GOSHEN (TN)	<u>5089</u> TUXEDO (TN)
<u>3001</u> GOSHEN (VLG)	<u>5001</u> TUXEDO PARK (VLG)
<u>3003</u> FLORIDA (VLG)	<u>5200</u> WALLKILL (TN)
<u>3005</u> CHESTER (VLG)	<u>5489</u> WARWICK (TN)
<u>3200</u> GREENVILLE (TN)	<u>5401</u> FLORIDA (VLG)
<u>3489</u> HAMPTONBURGH (TN)	<u>5403</u> GREENWOOD LAKE (VLG)
<u>3401</u> MAYBROOK (VLG)	<u>5405</u> WARWICK (VLG)
<u>3689</u> HIGHLANDS (TN)	<u>5600</u> WAWAYANDA (TN)
<u>3601</u> HIGHLAND FALLS (VLG)	<u>5889</u> WOODBURY (TN)
<u>3889</u> MINISINK (TN)	<u>5801</u> HARRIMAN (VLG)
<u>3801</u> UNIONVILLE (VLG)	
<u>4089</u> MONROE (TN)	
<u>4001</u> MONROE (VLG)	
<u>4003</u> HARRIMAN (VLG)	
<u>4005</u> KIRYAS JOEL (VLG)	

CITIES

0900 MIDDLETOWN
1100 NEWBURGH
1300 PORT JERVIS

9999 HOLD

NO. PAGES 5 CROSS REF _____

CERT. COPY _____ AFFT. FILED _____

PAYMENT TYPE: CHECK X

CASH _____

CHARGE _____

NO FEE _____

CONSIDERATION \$ 163,477.93

TAX EXEMPT _____

MORTGAGE AMT \$ _____

DATE _____

MORTGAGE TYPE:

 (A) COMMERCIAL
 (B) 1 OR 2 FAMILY
 (C) UNDER \$10,000.
 (E) EXEMPT
 (F) 3 TO 6 UNITS
 (I) NAT.PERSON/CR.UNION
 (J) NAT.PER-CR.UN/ OR 2
 (K) CONDO

Joan A. Macchi

JOAN A. MACCHI
Orange County Clerk

RECEIVED FROM:

Hill-N. Dale

RECORDED & INDEXED CLERK'S OFFICE 69-46923 NAL

FEES 50.00 EDUCATION FUND 5.00

SERIAL NUMBER: 006611

DEED CNTL NO 53764 RE TAX 654.00

This Deed

Made the

28th

day of

March

nineteen hundred

and ninety-five

Between

PETER H. NEUMAN

Referee

duly appointed in the action hereinafter mentioned, Grantor

And

GREGORY P. GREER, residing at P. O. Box 212, Shields Road,

Cornwall, New York 12518

Witnesseth, *that the Grantor, the Referee appointed in an action between*

PAWLING SAVINGS BANK,

(INDEX NO. 5291-94)

plaintiff ,

JAMIL BAHRI, a/k/a JAMIL HANNA, and others

defendants,

foreclosing a mortgage ~~XXXXXXXXXXXX~~

~~XXXX~~

~~XXXXXXXXXXXX~~

~~AND~~ MORE PARTICULARLY DESCRIBED ON THE ATTACHED SCHEDULE "A",
~~XXXXXXXXXXXX~~

~~XXXXXXXXXXXX~~

~~XXXXXX~~

~~XXXXXXXXXX~~

~~XXXXXX~~

, in pursuance of a judgment entered at a special term of the

SUPREME COURT OF THE STATE OF NEW YORK, COUNTY OF ORANGE

on the 21st day of March nineteen hundred and ninety-five

and in consideration of ONE HUNDRED SIXTY-THREE THOUSAND FOUR HUNDRED SEVENTY-SEVEN
DOLLARS AND NINETY-THREE CENTS

Dollars paid by the Grantee,

being the highest sum bid at the sale under said judgment does hereby grant and convey unto the
Grantee, all the right, title and interest of the defendants

in and to

(1) Mortgage dated the 24TH day of APRIL, 1986 made by JAMIL BAHRI AND JAMAL MOTRAN to PAWLING SAVINGS BANK in the principal sum of \$56,000.00 and recorded in Liber 2258 of Mortgages, page 327, in the office of the Clerk of the County of ORANGE, on the 8TH day of MAY, 1986;

(2) Mortgage dated the 5th day of APRIL, 1989 made by JAMIL BAHRI AND JAMAL MOTRAN to PAWLING SAVINGS BANK in the principal sum of \$98,334.18 and recorded in Liber 3389 of Mortgages, page 53, in the office of the Clerk of the County of ORANGE; which Mortgage by its terms consolidated with Mortgage in Liber 2258 at Page 327 to form a single first lien of \$150,000.00;

Which two (2) Mortgages were modified by Agreement dated the 9TH day of OCTOBER, 1992 between PAWLING SAVINGS BANK and JAMIL BAHRI AND JAMAL MOTRAN and recorded on NOVEMBER 2, 1992 in Liber 3696 of Deeds, page 44 to form a single first lien of \$142,357.41 in the office of the Clerk of the County of ORANGE, covering premises ROUTE 94, VAILS GATE, NEW YORK 12584.

SCHEDULE "A"

ALL that tract or parcel of land located in the Town of New Windsor, Vails Gate, Orange County, New York more particularly bounded and described as follows:

BEGINNING at a point in the southerly line of the New York State Highway, Route 45 said point being marked by a pin in the northwest corner of lands heretofore conveyed by Catherine M.P. Lewis to John T. Patterson and running thence along said lands of John T. Patterson South $1^{\circ} 49' 30''$ West 314.13 feet to an iron pin in the wall marking the line of lands of Marshall; thence along said wall South $89^{\circ} 32'$ West 60.19 feet to another iron pin in said wall; thence through the lands of Catherine M.P. Lewis North $0^{\circ} 38' 20''$ East 301.93 feet to an iron pin in the south side of State Highway Route 45 thence along the south side of State Highway Route 45 North $79^{\circ} 21' 45''$ East 68 feet to the point or place of beginning.

SUBJECT to covenants, easements and restrictions of record, if any.

SCHEDULE "B"

All that tract or parcel of land located in the Town of New Windsor, Vails Gate, Orange County, New York and more particularly bounded and described on Schedule "B" attached hereto and made a part hereof.

THIS CONVEYANCE IS MADE SUBJECT TO prior mortgages, liens and encumbrances of record; subject to zoning and municipal ordinances, restrictions and regulations of any amendments thereto, of the municipality in which the premises are located; subject to any violations thereof; subject to covenants, easements, restrictions, conditions, reservations and agreements of record, if any; subject to any state of facts as may appear from an accurate survey; subject to facts as to possession and occupancy; and subject to whatever the physical conditions of the premises may be.

To have and to hold *the premises herein granted unto the Grantee, his successors,*
and assigns forever.

Whenever the text hereof requires, the singular number as used herein shall include the plural and all genders.

In Witness Whereof, *the Grantor has hereunto set his hand and seal, the date first above written.*

[Signature]

L. S.

PETER H. NEUMAN *Referee*

In Presence of:

STATE OF NEW YORK
COUNTY OF ORANGE

} ss.:

On the *28th* day of *March* nineteen hundred and NINETY-FIVE
before me came PETER H. NEUMAN

Referee

to me known and known to me to be the individual described in, and who executed, the foregoing instrument and acknowledged to me that he executed the same

[Signature]
PHILIP A. CROTTY
Notary Public, State of New York
Qualified in Orange County
Reg. No. 420910
Commission Expires March 30, 19*96*

Deed

REFEREE'S DEED IN FORECLOSURE

PETER H. NEUMAN, AS REFEREE

TO

GREGORY P. GREER

Dated, 19

STATE OF NEW YORK

County of ORANGE ss.

RECORDED ON THE

.....day of....., 19.....

at.....o'clock..... M.

in Liber.....of Deeds

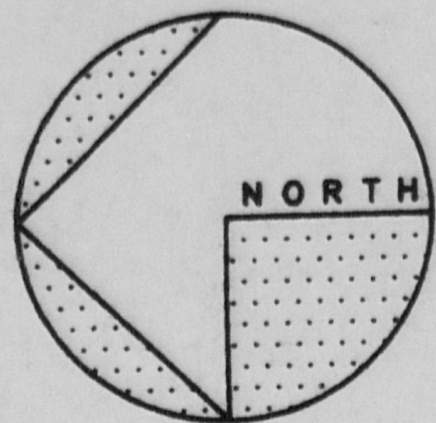
at Page.....and examined

CLERK

PLEASE RECORD AND RETURN TO:

DUGGAN, CROTTY & DUNN, P.C.
343 Temple Hill Road
New Windsor, New York 12553
TEL: (914) 562-6500

Reserve this space for use of Recording Office.



NOTES	
1. ZONING DISTRICT:	C ZONE
2. RECORD OWNER & APPLICANT:	GREGORY P. GREER P.O. BOX 212, SHIELDS ROAD CORNHILL, N.Y. 12518
3. TOTAL PARCEL AREA:	0.445 ACRES
4. TAX MAP DESIGNATION:	SECTION 70, BLOCK 1, LOT 4
5. ELEVATIONS INDICATED ARE REFERENCED TO AN ARBITRARY DATUM.	
6. BOUNDARY, TOPOGRAPHIC AND UTILITY INFORMATION OBTAINED FROM DRAWINGS PREPARED BY ROBERT D. KALAKA, L.S. IN JUNE OF 1995.	
7. THE APPLICANT HAS PREVIOUSLY RECEIVED APPROVAL FROM THE PLANNING BOARD TO OPERATE THE SITE AS ONE COMBINED BUSINESS, THAT IS, THE SALES, SERVICE, AND BUSINESS ADMINISTRATION (OFFICE) OF USED CARS. THE APPLICANT CAN LEASE UNUSED OFFICE SPACE TO OTHER BUSINESSES.	
8. LOCATION OF EXISTING 1 1/2" WATER SERVICE HAS OBTAINED FROM FILES OF THE WATER DEPT.	
9. THE LOCATIONS OF EXISTING UTILITIES ARE TO BE CONSIDERED APPROXIMATE, AND THE CONTRACTOR SHALL VERIFY THEIR LOCATIONS AND ELEVATIONS PRIOR TO EXCAVATION. NEW YORK STATE INDUSTRIAL CODE REQUIRES TWO (2) WORKING DAYS NOTICE BEFORE EXCAVATION, DRILLING, OR BLASTING. UNDERGROUND UTILITIES CENTER TELEPHONE NO. IS 1-800-245-2828.	
10. NO OUTSIDE STORAGE OF REFUSE SHALL BE PERMITTED.	
11. A CONDITION OF SITE PLAN APPROVAL IS THAT THE OWNER GRANT A 15' WIDE EASEMENT TO THE TOWN OF NEW HAVEN FOR DRAINAGE IMPROVEMENTS. THE OWNER WILL BE OBLIGATED TO EXECUTE THE EASEMENT DOCUMENTS UPON THE REQUEST BY THE TOWN OF NEW HAVEN.	
12. AT ANY TIME IN THE FUTURE SHOULD FLOOR DRAINS BE INSTALLED IN THE 2 BAY SERVICE AREA, AN OIL / WATER SEPARATOR SHALL BE INSTALLED ON THE DRAIN LINE PRIOR TO CONNECTING TO THE BUILDING'S WASTE LINE. INSTALLATION SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS AND REGULATIONS OF THE TOWN OF NEW HAVEN.	
13. LOCATIONS OF EXISTING WATER, SANITARY SEWER, GAS, ELECTRIC AND TELEPHONE UTILITIES FOR THE SOUTH BUILDING PROVIDED BY OWNER.	

ZONING SCHEDULE

ZONE C - DESIGN SHOPPING

USE: A-3 - BUSINESS OFFICE (PREVIOUSLY APPROVED BY THE PLANNING BOARD AS PROJECT 8758)

USE: A-16 - USED CAR SALES

USE: B-5 - SERVICE REPAIR GARAGE ①

EXISTING

NEW
(NEW CAR STORAGE / SERVICE AREA)

	A-3 REQUIRED	A-16 REQUIRED	PROVIDED	VARIANCE OBTAINED ②	PROVIDED	VARIANCE REQUIRED
LOT AREA	40,000 S.F.	80,000 S.F.	19,561 S.F.	60,615 S.F.	19,561 S.F.	-
LOT WIDTH	200 FT.	200 FT.	130 FT.	130 FT.	10 FT.	-
FRONT YARD DEPTH	60 FT.	60 FT.	164 FT.	-	164 FT.	-
SIDE YARD	30 FT.	30 FT.	124 FT.	171 FT.	10 FT.	20 FT.
TOTAL BOTH SIDE YARDS	70 FT.	70 FT.	352 FT.	344 FT.	32 FT.	38 FT.
REAR YARD DEPTH	30 FT.	30 FT.	58 FT.	-	58 FT.	-
STREET FRONTAGE	N/A	N/A	70 FT.	-	70 FT.	-
BUILDING HEIGHT (MIN. DIST. TO NEAREST LOT LINE)	0.80 FT.	7'-6"	16'-6"	9'-0"	5' (6" / FT.)	6 FT.
FLOOR AREA RATIO	0.50	0.70	0.17	-	0.18	-

COVERAGES:

BUILDING COVERAGE % OF TOTAL AREA	33,255 S.F. 17.1 %
PAVEMENT COVERAGE % OF TOTAL AREA	15,015 S.F. 76.1 %
OPEN SPACE COVERAGE % OF TOTAL AREA	1,054 S.F. 5.4 %

OFFSTREET PARKING:

OFFICE

1 SPACE PER 300 S.F. OF
GROSS FLOOR AREA

~ (1,444 S.F. / 200 S.F. PER SPACE)

REQUIRED

8 SPACES

PROVIDED

8 SPACES

SERVICE REPAIR GARAGE

4 SPACES PER SERVICE BAY, PLUS

1 PER 300 S.F. OF FLOOR AREA
OUTSIDE OF SERVICE AREAS

~ 2 SERVICE BAYS

~ (1,041 S.F. / 300 S.F. PER SPACE) ③

8 SPACES

4 SPACES

20 SPACES

8 SPACES

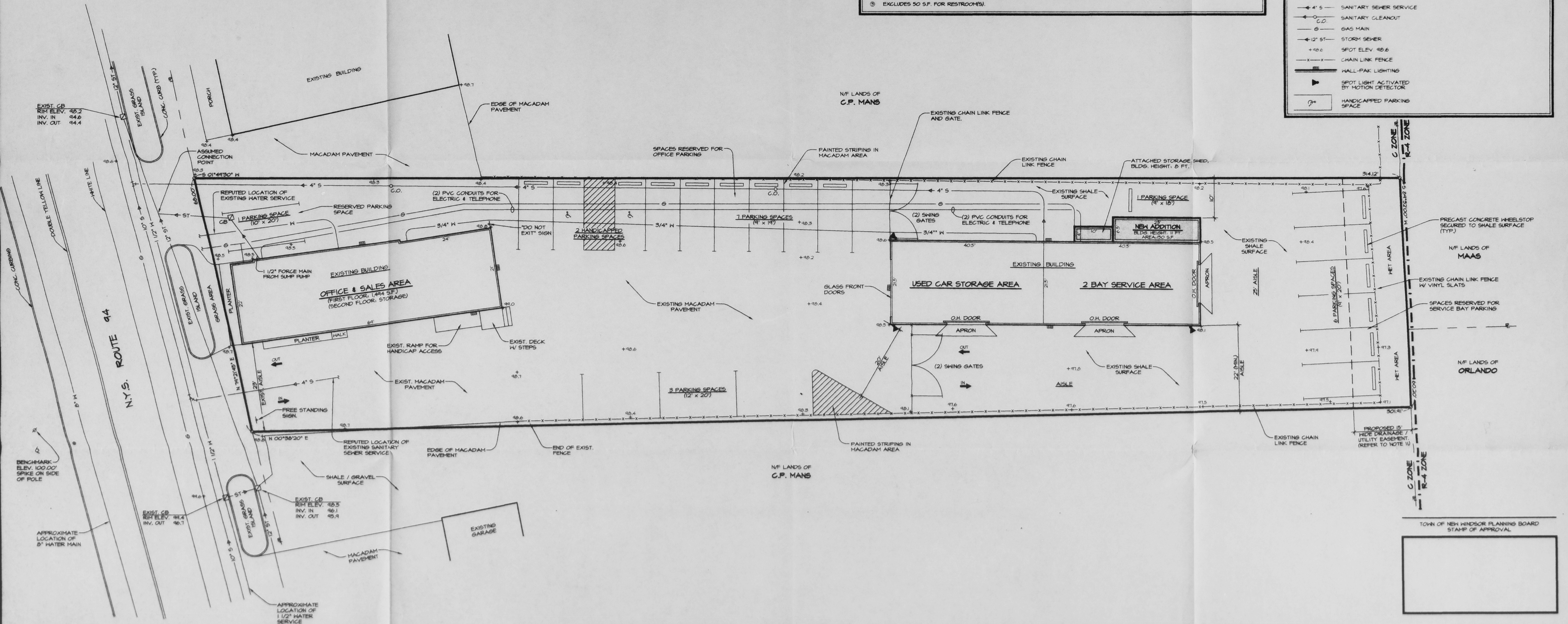
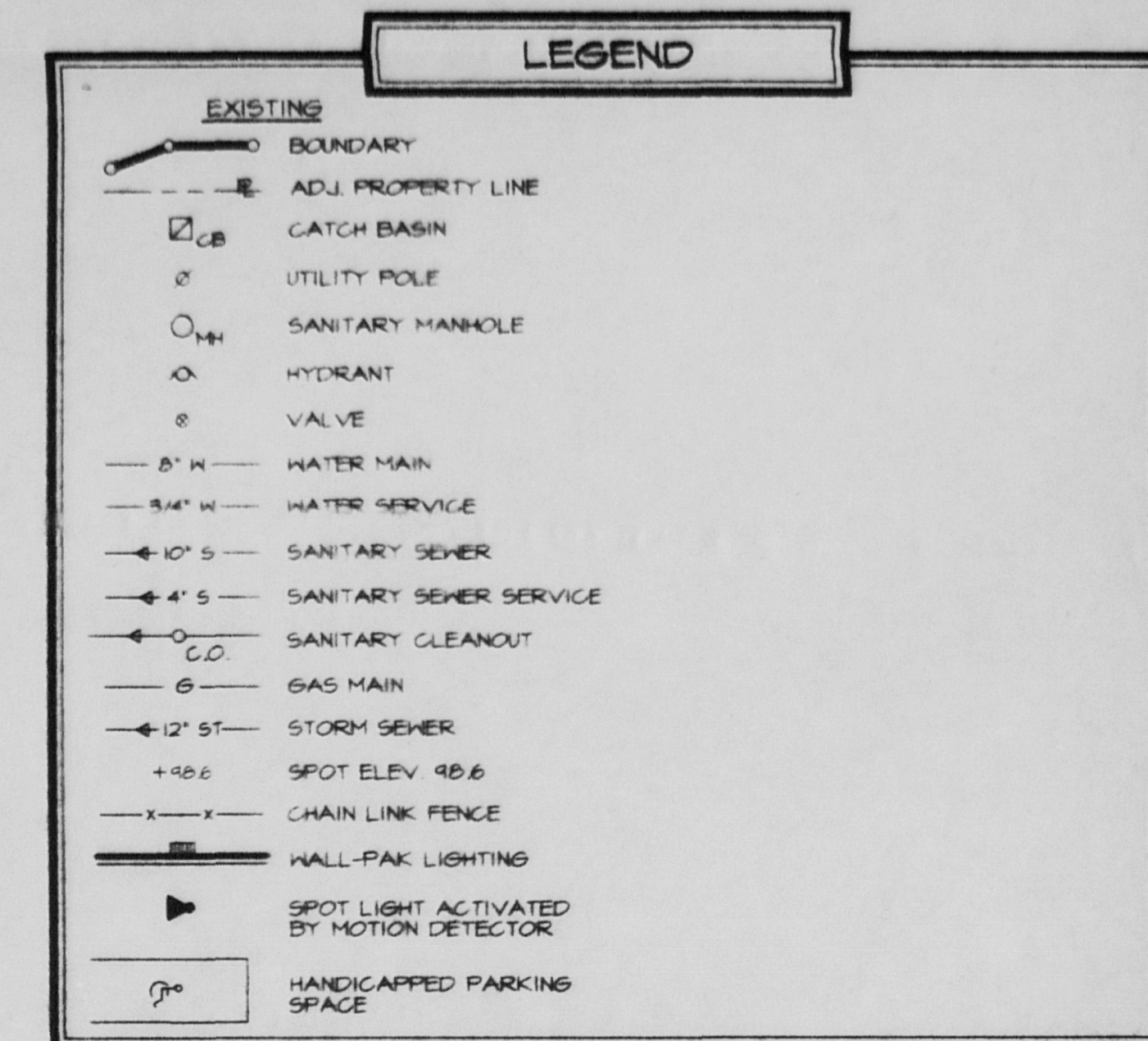
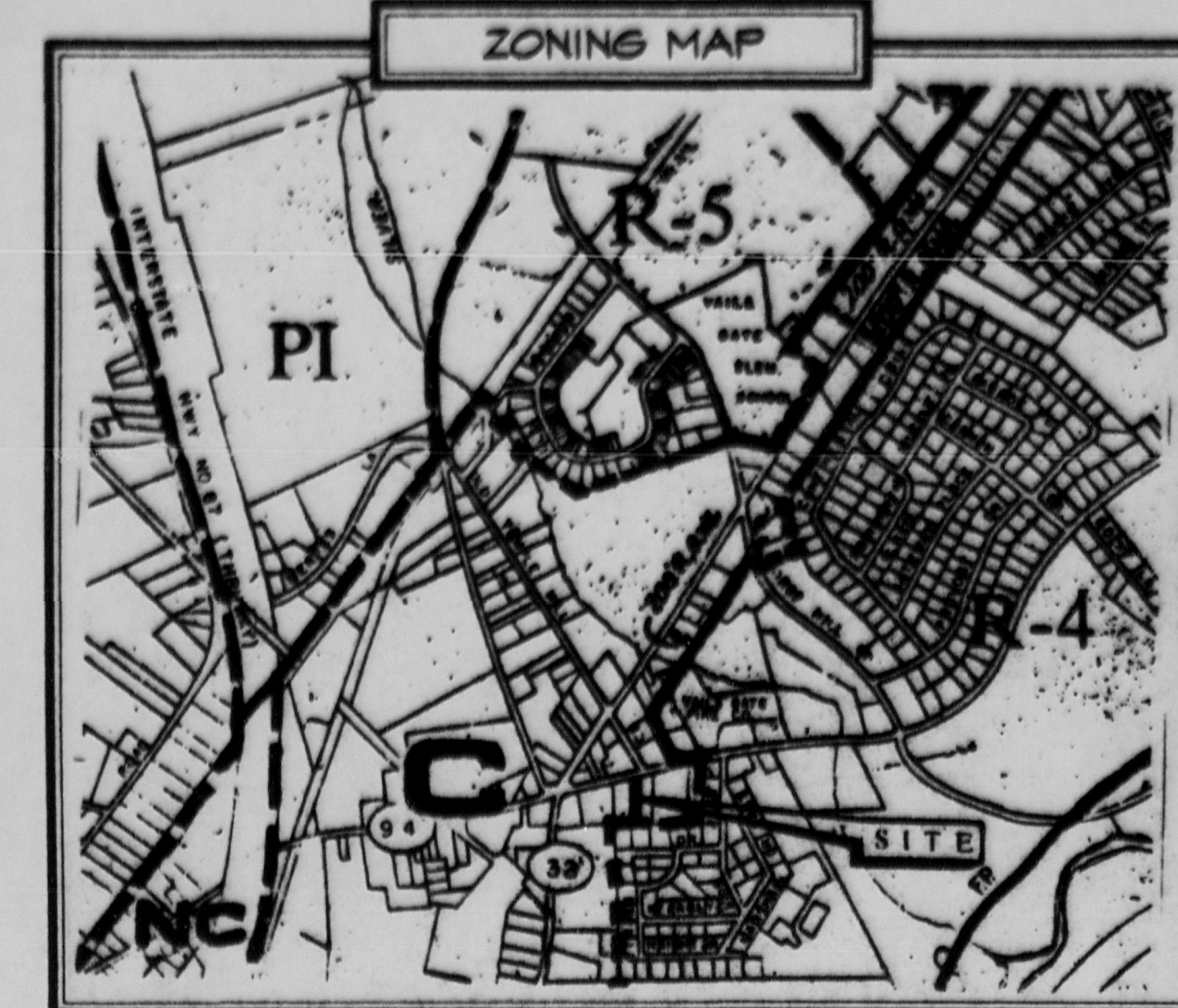
4 SPACES


20 SPACES

① DENOTES SPECIAL PERMIT REQUIRED, AND PREVIOUSLY GRANTED BY PLANNING BOARD

② DENOTES VARIANCES OBTAINED FOR THE USED CAR STORAGE AREA / 2 BAY SERVICE AREA BASED UPON THE A-16 USE GROUP. VARIANCES WERE OBTAINED FROM THE NEW HAVEN ZONING BOARD OF APPEALS ON SEPTEMBER 11, 1995.

③ EXCLUDES 50 S.F. FOR RESTROOM(S).





Shaw Engineering
Consulting Engineers
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ISSUE	REVISION	DATE

Drawn By: J.R.J.
Checked By: G.J.S.
Scale: 1"=10'
Date: 5-7-1998

Project:
NEW ADDITION FOR
GREGORY P. GREER
N.Y.S. ROUTE 94
TOWN OF NEW HAVEN, N.Y.

AMENDED SITE PLAN
Project No. 9501